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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/560,738	12/15/2005	Maitreya Ranganath	1335.P002US/TYK	1694

38556 7590 04/01/2009

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EXAMINER	
NGUYEN, KHAI MINH	
ART UNIT	PAPER NUMBER
2617	
MAIL DATE	DELIVERY MODE
04/01/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/560,738	RANGANATH ET AL.	
	Examiner	Art Unit	
	KHAI M. NGUYEN	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 December 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-24* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-24* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection.

Regarding claims 1 and 21, Applicant argues, of the remarks, that Schwartz in view of Ranganath et al. (background of the invention) do not disclose, teach, or suggest “mobile data capture; and facilitating a data response to said data requestor such that said data requestor need not know identity of the responding mobile data capture device "

Ranganath et al. (background of the invention) clearly discloses mobile data capture ([0003]); and facilitating a data response ([0003]) to said data requestor such that said data requestor need not know identity of the responding mobile data capture device ([0003] mobile data devices are emerging that can operate on a mobile network and can respond to content requests sent over the mobile network. Such mobile data devices could comprise any number of data collection devices which can accommodate data requests such as audio, video, ambient temperature, lighting, the presence or absence of chemicals, other environmental factors, or other forms of data content)

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. Claims 1-18 and 20-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. (U.S.Pat-6473609) in view of Ranganath et al. (background of the invention) (U.S.Pub-20070099611).

Regarding claim 1, Schwartz teaches a method for managing access to a plurality of mobile data capture (not show) devices (fig.1) connected to a network using an intermediate system (fig.1, item 114); said intermediate system is also connected to said network or another network that is in communication with said network (col.2, lines 36-38); said method comprising the intermediate system:

a. registering a plurality of mobile data capture (not show) devices (fig.1, items 104, 110 and 106), each of said plurality of mobile data capture (not show) devices for provision of data therefrom (col.5, lines 13-25), and being in communication with said intermediate system (item 104) via said network (col.17, line 52 – co.18, line 11);

b. generating a list of available mobile data capture (not show) devices in said intermediate system (col.7, line 47 – col. 8, line33; col.15, lines 9 - 27);

c. receiving a data request from a data requestor (fig. 9A-9G (step 989)); and

Schwartz fails to specifically disclose mobile data capture; and facilitating a data response to said data requestor such that said data requestor need not know identity of the responding mobile data capture device.

However, Johnson teaches mobile data capture ([0003]); and facilitating a data response ([0003]) to said data requestor such that said data requestor need not know

identity of the responding mobile data capture device ([0003] mobile data devices are emerging that can operate on a mobile network and can respond to content requests sent over the mobile network. Such mobile data devices could comprise any number of data collection devices which can accommodate data requests such as audio, video, ambient temperature, lighting, the presence or absence of chemicals, other environmental factors, or other forms of data content).

Therefore, it would have been obvious to one having ordinary skill in the art at the time invention was made to apply the teaching of Ranganath et al. (background of the invention) to Schwartz to provide method for operate on a mobile network and can respond to content requests sent over the mobile network and reduces operation costs.

Regarding claim 2, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 1, wherein said step a. further comprises the steps:

i. entering registration data of said plurality of mobile data capture devices (see Schwartz, col.17, line 52 to col.18, line 16);

ii. verifying said registration data of said plurality of mobile data capture devices (see Schwartz, col.19, lines 18-26); and

iii. adding said plurality of mobile data capture devices to said list of available mobile data devices (see Schwartz, col.8 lines 12-32).

Regarding claim 3, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said step i. is performed over the Internet by having an online form (see Schwartz, col.1, lines 41-55).

Regarding claim 4, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said step i. may be performed over the mobile network through a WAP-based form (see Schwartz, abstract, col.1, lines 41-55 (markup language files)).

Regarding claim 5, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said step i. may be performed over the mobile network through interactive SMS (see Schwartz, abstract).

Regarding claim 6, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said registration data further comprises a unique name assigned to each mobile data capture device identifier of each of said plurality of mobile data devices (see Schwartz, col.7, line 47 to col.8, line 32).

Regarding claim 7, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 6, wherein said mobile data capture device identifier comprises: MSIDSN or IMEI or IP addresses of said mobile data capture device (see Schwartz, col.7, line 47 to col.8, line 32).

Regarding claim 8, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said registration data further comprises content description of the data provided by said plurality of mobile data capture devices (see Schwartz, col.17, line 52 to col.18, line 16).

Regarding claim 9, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said registration data

further comprises content category of the data provided by said plurality of mobile data capture devices (see Schwartz, col.7, line 56 to col.8, line 45; col.17, line 52 to col.18, line 16).

Regarding claim 10, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said registration data further comprises an access list of authorized data requestors having access rights to a specific mobile data capture device, said access list containing MSISDNs, email addresses or unique data requestor identifiers of said authorized data requestors (see Schwartz, col.7, line 47 to col.8, line 45; col.15, lines 9-27).

Regarding claim 11, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 2, wherein said step ii. further comprises performing a test to establish communication with said plurality of mobile data capture devices using said registration data (see Schwartz, col.19, lines 18-25).

Regarding claim 12, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 1, wherein said step b. further comprises:

i. checking availability of said plurality of mobile data capture devices (see Schwartz, col.19, lines 18-25); and

ii. updating said list of available mobile data capture devices (see Schwartz, col.15, lines 9 -27)

Regarding claim 13, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 1, wherein said step c. further comprises:

i. receiving a request for available mobile data capture devices from a data requestor (see Schwartz, Fig. 9A-9G);

ii. determining access rights of said data requestor (see Schwartz, col.7, line 56 to col.8, line 45);

iii. looking up relevant mobile data devices available to said data requestor (see Schwartz, col.7, line 56 to col.8, line 45; col.15, lines 9-27); and

iv. sending list of said relevant mobile data capture devices to said data requestor (see Schwartz, col.15, lines 9-27).

Regarding claim 14, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 1, wherein said step c. further comprises:

i. receiving a request for content from a specific mobile data capture device by a data requestor (see Schwartz, Fig. 9A-9G);

ii. determining MSISDN of said specific mobile data capture device (see Schwartz, col.7, line 56 to col.8, line 45);

iii. determining access rights of said data requestor and connection status of said specific mobile data capture device (see Schwartz, col.7, line 56 to col.8, line 45; col.19, 18-25); and

iv. logging said request for content from said specific mobile data capture device (see Schwartz, col.8, lines 32-67).

Regarding claim 15, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 14, wherein said step c. further comprises:

v. receiving response from said specific mobile data device containing requested content and optionally updating said list of available mobile data capture devices (see Schwartz, Fig. 9A-9G); and

vi. logging said response from said specific mobile data capture device and forwarding said requested content to said data requestor (see Schwartz, col.8, lines 32-67).

Regarding claim 16, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 14, wherein said step c. further comprises:

v. transmitting said request to said specific mobile data capture device (see Schwartz, Fig. 9A-9G); and

vi. transmitting requested content to said data requestor by said specific mobile data capture device through said network (see Schwartz, Fig 9A-9G; col.8, lines 46-67).

Regarding claim 17, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 1, wherein said step c. further comprises:

i. receiving a request for content from a content category by a data requestor (see Schwartz, Fig 9A-9G);

ii. selecting one of said mobile data capture devices having said content category (see Schwartz, Fig 9A-9G; col.17, line 52 to col.18, line 32);

iii. determining access rights of said data requestor and connection status of said mobile data capture device (see Schwartz, col.7 line 56 to col.8, line 45; col.19, 18-25; and

iv. logging said request for content from said specific mobile data capture device (see Schwartz, col.8, lines 32-67).

Regarding claim 18, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 13 or claim 14, wherein said step d. may be initiated by said data request from said data requestor (see Schwartz, Fig 9A-9G).

Regarding claim 20, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 13 or claim 14, wherein said step d. may be initiated by an external stimulus such as, without limitation, motion detection, change in temperature, change in humidity, change in count, and the like (see Ranganath et al. (background of the invention), [0003]).

Regarding claim 21, Schwartz teaches a method for managing access to a plurality of mobile data capture (not show) devices (fig.1) connected to a network using an intermediate system (fig.1, item 114); said intermediate system is also connected to

said network or another network that is in communication with said network (col.2, lines 36-38); said method comprising the intermediate system:

a registering means for registering said plurality of mobile data capture (not show) devices (fig.1, items 104, 110 and 106), each of said plurality of mobile data devices for provision of data therefrom (col.5, lines 13-25), and being in communication with said intermediate system (item 104) via said network (col.17, line 52 – co.18, line 11);

a generating means for generating a list of available mobile data capture (not show) devices in said intermediate system (col.7, line 47 – col. 8, line 33; col.15, lines 9 - 27);

a receiving means for receiving a data request from a data requestor (fig. 9A-9G (step 989)); and

Schwartz fails to specifically disclose mobile data capture; and a means for facilitating a data response to said data requestor such that said data requestor need not know identity of the responding mobile data capture device.

However, Johnson teaches mobile data capture ([0003]); and a means for facilitating a data response ([0003]) to said data requestor such that said data requestor need not know identity of the responding mobile data capture device ([0003] mobile data devices are emerging that can operate on a mobile network and can respond to content requests sent over the mobile network. Such mobile data devices could comprise any number of data collection devices which can accommodate data requests

such as audio, video, ambient temperature, lighting, the presence or absence of chemicals, other environmental factors, or other forms of data content).

Therefore, it would have been obvious to one having ordinary skill in the art at the time invention was made to apply the teaching of Ranganath et al. (background of the invention) to Schwartz to provide method for operate on a mobile network and can respond to content requests sent over the mobile network and reduces operation costs.

Regarding claim 22, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 21, wherein said registering means further comprises: an entering means (see Schwartz, Fig. 3A-B) for entering registration data of said plurality of mobile data devices (see Schwartz, col.17, line 52 to col.18, line 16); a verifying means (see Schwartz, Fig.3A-B) for verifying said registration data of said plurality of mobile data capture devices (see Schwartz, col.19, lines 18-26); and an adding means (see Schwartz, Fig. 3A-B) for adding said plurality of mobile data capture devices to said list of available mobile data capture device (see Schwartz, col.8, lines 12-32).

Regarding claim 23, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 21, wherein said verifying means further comprises: a checking means (see Schwartz, Fig. 3A-B) for checking availability of said plurality of mobile data capture devices (see Schwartz, col.19, lines 18-25); and an updating means for updating said list of available mobile data capture devices (see Schwartz, col.15, lines 9 -27).

Regarding claim 24, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 21, wherein said receiving means (see Schwartz, Fig. 3A-B) is adapted to receive a request for available mobile data capture devices or a request for content from a specific mobile data capture device (see Schwartz, Fig. 9A-9G).

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schwartz et al. (U.S.Pat-6473609), in view of Ranganath et al. (background of the invention) (U.S.Pub-20070099611), and further in view of Johnson et al. (U.S.Pat-5553094).

Regarding claim 19, Schwartz and Ranganath et al. (background of the invention) further teach the method in accordance with claim 13 or claim 14,

Schwartz and Ranganath et al. (background of the invention) fail to specifically disclose wherein said step d. may be initiated by a timer based event;

However, Johnson teaches wherein said step d. may be initiated by a timer based event (col.4, lines 11-13).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Johnson to Schwartz and Ranganath et al. (background of the invention) to efficiency reduces operation costs.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAI M. NGUYEN whose telephone number is (571)272-7923. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent P. Harper can be reached on 571.272.7605. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/VINCENT P. HARPER/
Supervisory Patent Examiner, Art Unit 2617

/Khai M Nguyen/
Examiner, Art Unit 2617 3/29/2009